

building. The officers refused to promptly leave. I informed them that they must leave private property when requested if they did not possess a judicial warrant. Under fear I couldn't mentioned to them that I will call the Chicago Police for fear of being shot to death.

It is evident that I have a right to possession of the common area, my unit and that I chose to exclude the officers from the common areas, of the building and from my unit, I further stated to the officers that they had no claim to possession of the property.

The officers then continued to loiter directly in front of my apartment door for approximately 15 minutes. After torturing me inside This made it difficult to make a call or run and seek for help from neighbors'.

The two un-identified agents have committed invasion of my privacy rights.

Towards the end of their visit before stepping out of my unit, I asked the officers why they were at my residence, to which they did not respond. Then I remembered and gained a little consciousness, and said to my self, at this point that I would have declined to answer any questions related to their enforcement efforts.

As an American citizen, I feel that it is very important that the representatives of my own government respect the law rather than break it. The conduct of the unidentified officer in threatening to kick down my door, though they obviously lacked the legal authority to do so, is indefensible. Such behavior is unbecoming a federal law enforcement agent. The officer's threat placed me in fear of my physical safety.

But for my Understanding of the law, I have little doubt that my rights have been completely brushed aside. By making criminal threats against my home and physical safety, threatening prosecution without probable cause or even reasonable suspicion, and refusing to respect my property rights, the officers clearly sought to dissuade the exercise of my constitutional right to be free from unreasonable searches and seizures.

I also object to the officers trespassing on private property. Federal officers may violate state law only where federal law preempts that law. No federal law authorizes officers to enter and remain in the common access areas of an apartment building pursuant to an investigation without warrant, after having been requested to leave by the person in possession thereof. Because no federal law authorizes the officers' conduct, they are subject to state laws regulating that conduct.

Illinois Law defines as trespass the "refusing or failing to leave land, real property, or structures belonging to or lawfully occupied by another and not open to the general public, upon being requested to leave by ... the owner's agent, or the person in lawful possession ... however, this subdivision shall not apply to persons on the premises who are engaging in activities protected by the Illinois or United States Constitution, or to persons who are on the premises at the request of a resident or management and who are not loitering or otherwise suspected of violating or actually violating any law or ordinance."

USCIS, ICE, INS or United States Homeland Security Administration has never invited me to their office for any interrogation, have never sent any request to me to report to their office for some interrogation, I have never refused to present my self for any evidential hearing requested by the above government entity, why then did they decide to forcefully invade my home without a judicial warrant and ended up intimidating, harassing and threatening me?

Whether as the person in possession of the common area, my unit, for the purpose of excluding unauthorized persons from the premises, I was authorized to exclude the officers from the building.

ICE officers undergo extensive training on immigration and constitutional law. I have no doubt that the conduct of the above officers was knowing and willful. This incident also appears to be just one example of a pattern of constitutional violations in recent times by ICE officers, suggesting the agency has adopted a policy of aggressive violations of constitutional rights in its enforcement efforts.

I request acknowledgment of this complaint, and disclosure of the identity of the two un-identified officer (or at a minimum confirmation that you have identified them and are able to investigate this complaint) within 14 days. Failure to answer will automatically imply deemed as true and I will file a legal law suit to stop such form of abuse and invasion of privacy and to demand damages. I appreciate your attention to this matter. If I can provide any additional information, please do not hesitate to contact me in writing at the address above.

Sincerely,

(b)(6)

Cc: USCIS Chicago Field Office

Certified Mail: (b)(6)

(b)(6)

(b)(6)

CHICAGO IL 60649

OFFICE FOR CIVIL RIGHTS AND CIVIL LIBERTIES
U.S. DEPARTMENT OF HOMELAND SECURITY
245 MURRAY LANE, SW
BUILDING 410
MAIL STOP # 0800
WASHINGTON, DC 20528

6/27/2011

Dear Officer Jeffrey S. Blumberg

On June 24th 2011, I received a letter from your office dated June 10th 2011 which is a response to my letter to your office received on February 8th 2011.

In that letter you confirm that CRCL have determined that my allegations should be investigated by ICE, a component of DHS, which will conduct an investigation into the circumstances surrounding any visits to my resident by ICE agents in January of 2011, to investigate violation of civil rights, civil liberties and profiling on the bases of race, ethnicity, or religion and report its findings to CRCL.

You also mentioned that your office does not provide individuals with legal or procedural rights or remedies.

You also mentioned that there may be time limitations that govern how quickly I need to act to protect my interest. I am not an attorney, and I don't have the money to hire one, I wish to represent myself, but my simple and urgent questions are

- a. What is the statute of limitation on this issue I have reported to your office?
- b. Is there any time limitation to institute any legal action
- c. If there is , how long? And state the law to that effect.

I will appreciate you quick response.

Yours Sincerely

(b)(6)

(b)(6)



Homeland
Security

March 19, 2012.

(b)(6)

Chicago, Illinois 60649

Re: Complaint No. 11-05-ICE-0091.

Dear (b)(6)

This letter is in response to information the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from you on February 8, 2011. In a letter dated June 10, 2011, we informed you that pursuant to 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the matters raised in your complaint would be investigated by U.S. Immigration and Customs Enforcement (ICE), a component of DHS. On January 25, 2012, ICE provided its report to CRCL.

In your complaint, you alleged that ICE employees or officials threatened you, refused to respect your property rights, and subjected you to an unreasonable search and seizure at your residence in January 2011. ICE received the information and allegations provided in your correspondence and conducted an internal investigation. A fact-finder from ICE's Office of Professional Responsibility (OPR) investigated your allegations and provided the results of the investigation to CRCL.

During the investigation, ICE OPR made repeated attempts to interview you and your attorney. To conduct a thorough investigation, ICE OPR needed to interview you or your attorney for additional information and for clarification of the information you provided in your letter to CRCL. After you declined to be interviewed, ICE OPR attempted to contact your attorney on several occasions but never received a response regarding their request for an interview. Due to the lack of response from your attorney, ICE OPR has closed its investigation into your complaint.

This concludes our review of the complaint. We appreciate your bringing this matter to our attention. Inquiries like yours help DHS meet its obligation to protect civil rights and civil liberties. If you have additional information or allegations regarding inappropriate treatment by DHS officials, please do not hesitate to contact us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



**Homeland
Security**

February 25, 2011

(b)(6)

Chicago II, 60649

Re: Complaint No. 11-05-USCIS-0091

Dear (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on February 18, 2011. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security.

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by this Office. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL will contact you with the anticipated course of investigation for your complaint and will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at crcl@dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, see our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter. Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint. CRCL may disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the types of complaints, and do not include personal information. To read our past reports, go to www.dhs.gov/CRCL. To learn more about the Privacy Act, go to the Federal Information Center, www.pueblo.gsa.gov.



Homeland
Security

OFFICE FOR CIVIL RIGHTS & CIVIL LIBERTIES (CRCL)
COMPLAINT WITHOUT RECOMMENDATIONS
CLOSURE MEMORANDUM

To: Jeffrey Blumberg
From: (b)(6)
Date: March 19, 2012
Complaint Number: 11-05-ICE-0091
Complainant Name (Alien Number): (b)(6)

Reason(s) for Closure without Recommendations (check all that apply):

(b)(5)

Complaint Synopsis and Explanation of Closing Rationale:

On February 8, 2011, CRCL received correspondence from (b)(6) concerning his treatment by U.S. Immigration and Customs Enforcement (ICE) officers at and around his residence in Chicago, Illinois. (b)(6) alleged that ICE officers approached him on several occasions during January, 2011, entering his home, threatening him, refusing to respect his property rights, and subjecting him to an unreasonable search and seizure. (b)(6) alleged that during these encounters ICE officers questioned him, but (b)(6) could not remember the specific questions they asked him due to his significant health problems, including HIV and seizures.

(b)(5),(b)(6)



Homeland
Security

June 10, 2011

(b)(6)

Chicago, IL 60649

Re: Complaint No. 11-05-ICE-0091

Dear (b)(6)

The Office for Civil Rights and Civil Liberties (CRCL) received information from you on February 8, 2011, concerning your treatment by employees or officials of U.S. Immigration and Customs Enforcement (ICE) at your residence in Chicago, Illinois, between January 3 and January 29, 2011.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL has the responsibility to review and assess complaints against Department of Homeland Security (DHS) employees and officials concerning violations of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion.

CRCL takes allegations of violations of civil rights and civil liberties very seriously. We have determined that your allegations should be investigated by ICE, a component of DHS, which will report its findings to CRCL. ICE will conduct an investigation into the circumstances surrounding any visits to your residence by ICE agents in January 2011.

We will review ICE's findings and assess compliance with civil rights requirements in these areas. The purpose of this process is to determine if your allegations raise issues that should and can be addressed by the management of DHS.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

ICE or CRCL will contact you if additional information is needed or to report on the Department's review of this matter. If you have any questions concerning this referral, you may contact CRCL by phone at 866-644-8360, 866-644-8361 (TTY), or by email at crcl@dhs.gov. When you communicate with us, please include the complaint number. In addition, it is very important to notify us of any changes in your address or telephone number.

We thank you for your complaint; inquiries like yours help DHS meet its obligation to protect civil rights and civil liberties. You can expect to receive a letter from us informing you how the Department concluded this matter.

Sincerely,



Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



Homeland
Security

June 10, 2011

MEMORANDUM FOR:

(b)(6), (b)(7)(C)

Deputy Division Director, Investigative Support Unit
Office of Professional Responsibility
U.S. Immigration and Customs Enforcement

Peter S. Vincent
Principal Legal Advisor
U.S. Immigration and Customs Enforcement

FROM:

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties

(b)(6)

Attorney Advisor
Office of General Counsel

SUBJECT:

Complaint No. 11-05-ICE-0091

(b)(6)

The Office for Civil Rights and Civil Liberties (CRCL) has received a complaint alleging that ICE has violated an individual's civil rights or civil liberties. The purpose of this memorandum is to notify you of the complaint and to inform you that we are referring this complaint to ICE for investigation. We request that the appropriate office within your component complete an inquiry into the enclosed complaint/s within 180 days of the date of this referral. Please see the attached Referred Complaint Assistance Form for guidance regarding this inquiry.

CRCL authorities. Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL is charged with investigating and assessing complaints against DHS employees and officials of abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion. The procedures for our investigations and the recommendations they may engender are outlined in Department of Homeland Security (DHS) Management Directive 3500. We have received information concerning the above listed complaint that may fall under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1.

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Access to information. More particularly, 42 U.S.C. § 2000ee-1(d) grants CRCL access to the “information, material, and resources necessary to fulfill the functions” of the office, including the complaint investigation function; Management Directive 3500 further authorizes CRCL to:

- “Notify[] the relevant DHS component(s) involved of the matter and its acceptance by CRCL, and whether the matter will be handled by CRCL or by the component organization”;
- “Interview[] persons and obtain[] other information deemed by CRCL to be relevant and require[e] cooperation by all agency employees”; and
- “Access[] documents and files that may have information deemed by CRCL to be relevant.”

Reprisals forbidden. In addition, 42 U.S.C. § 2000ee-1(e) forbids any Federal employee to subject a complainant or witness to any “action constituting a reprisal, or threat of reprisal, for making a complaint or for disclosing information to” CRCL in the course of this investigation.

This memorandum and the Referred Complaint Assistance Form are pursuant to these authorities.

Privilege and required transparency. Our communications with ICE personnel and documents generated during this review, particularly the final report, will be protected to the maximum extent possible by attorney-client and deliberative process privileges. Under 6 U.S.C. § 345(b), however, we submit an annual report to Congress—also posted on CRCL’s Web site—that is required to detail “any allegations of [civil rights] abuses . . . and any actions taken by the Department in response to such allegations.”

When the inquiry is complete, please contact CRCL with your component’s findings and recommendations. CRCL will review the matter in accordance with our mission to assist DHS to secure the Nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with your staff on this matter, will notify you when we have closed this complaint, and will provide you with any recommendations resulting from this complaint.

If you have any questions concerning this referral, please do not hesitate to contact my colleague, (b)(6) by phone at 202-357-(b)(6) 866-644-8360 (TTY), or by email at (b)(6)@dhs.gov.

Copies to:

(b)(6),(b)(7)(C)
Regional Operations Manager, Investigative Support Unit
Office of Professional Responsibility
U.S. Immigration and Customs Enforcement
(b)(6),(b)(7)(C)@dhs.gov

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(b)(6),(b)(7)(C)

Office of Professional Responsibility
U.S. Immigration and Customs Enforcement
(b)(6),(b)(7)(C) @dhs.gov

(b)(6),(b)(7)(C)

Executive Associate Director
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement
(b)(6),(b)(7)(C) @dhs.gov

Enclosure/s

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OFFICE FOR CIVIL RIGHTS & CIVIL LIBERTIES (CRCL)
REFERRED COMPLAINT ASSISTANCE FORM

REFERRED COMPLAINT ASSISTANCE	
Assigned To:	ICE
Requested From:	DHS Headquarters Office for Civil Rights and Civil Liberties (CRCL)
POC:	(b)(6) Policy Advisor (Compliance), 202-357 (b)(6) (b)(6) @dhs.gov
Date Referred to CBP:	June 10, 2011
Deadline to CRCL:	Within 180 days of the date on the attached memo.
CRCL Complaint No:	11-05-ICE-0091 (b)(6)
SYNOPSIS	
On February 11, 2011, CRCL received correspondence from (b)(6) of Chicago, Illinois. In a certified letter dated January 29, 2011 (also sent to the USCIS Chicago Field Office), (b)(6) alleges that two unidentified ICE Officers unlawfully tried to gain access to his property at (b)(6) Chicago Illinois, on January 3, 2011, January 13, 2011, and January 19, 2011. While the agents were not able to gain access on any of these dates, (b)(6) alleges that on January 19, 2011, two agents approached him as he was getting ready to go to the hospital for surgery. According to (b)(6) the agents attempted to stop him from going to the hospital in order to question him and only stopped following him when he entered the medical van that was taking him to the hospital. (b)(6) alleges that the two ICE officers, one male and one female, then returned to his residence on January 29, 2011, at about 9am. (b)(6) alleges that, after getting through the street security gate and buzzer, they rang his doorbell and banged on his doors and windows. Both officers identified themselves as ICE representatives, but refused to give their names. (b)(6) alleges that he asked the officers if they had a judicial warrant to enter the premises, but that they did not answer. When they did not answer his question, (b)(6) alleges that he told the agents that he would not answer any questions and that they should leave. Instead, the agents allegedly threatened to break down his door and forced (b)(6) into his room and ordered him to sit down and answer their questions under threat of arrest and prosecution for fraud and for harboring an illegal alien. (b)(6) alleges that the agents humiliated him, threatened him, and deprived him of his right to remain silent. (b)(6) alleges that after the agents questioned him, they began working out of his apartment. He then again asked the officers to leave the apartment building; he alleges that he was too scared to call the police or ask neighbors for assistance. According to (b)(6) the agents refused to leave and instead stood directly in front of his apartment door for approximately fifteen minutes. (b)(6) claims that he felt threatened by the actions of the officers – including gestures made by at least one officer toward his gun -- which made it difficult for him to call or run and seek help from his neighbors. (b)(6) alleges that over the course of these incidents, ICE agents have made criminal threats against him and his home and physical safety, threatened prosecution without probable cause or reasonable suspicion, refused to respect his property rights, and subjected him to unreasonable search and seizure. Further, while (b)(6) indicates that he would be willing to speak with authorities, he alleges that he has never been asked	

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to appear at USCIS, ICE, INS, or DHS offices for interrogation, either verbally or in writing.

ISSUES/ALLEGATIONS	
Issues/Allegations to be addressed in CBP's Fact Finding Report/ROI submitted to DHS CRCL:	• (b)(5),(b)(6) • •
Information/Documents requested by DHS CRCL:	(b)(5),(b)(6)

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DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-11-0311 11-05-ICE-0091

(b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2011-02-16 15:37	Create	Component Referenced	USCIS	7068	(b)(6)	User Change
DhsComplaint	2011-02-16 15:37	Create	Summary	On February 11, 2011, CRCL received correspondence from (b)(6) Chicago, Illinois. In a certified letter dated January 29, 2011, (also sent to the USCIS Chicago Field Office) (b)(6) alleges that two unidentified USICE Officers unlawfully tried to	7068		User Change
DhsComplaint	2011-02-16 15:37	Create	Executive Summary	On February 11, 2011, CRCL received correspondence from (b)(6) Chicago, Illinois. In a certified letter dated January 29, 2011, (also sent to the USCIS Chicago Field Office) (b)(6) alleges that two unidentified USICE Officers unlawfully tried to	7068		User Change
DhsComplaint	2011-02-16 15:37	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	7068		User Change
DhsComplaint	2011-02-16 15:37	Create	Days to Process	7	7068		User Change
DhsComplaint	2011-02-16 15:37	Create	Date to CRCL	02/09/2011	7068		User Change
DhsComplaint	2011-02-16 15:37	Create	Date to DHS	02/07/2011	7068		User Change
DhsComplaint	2011-02-16 15:37	Create	Date on Correspondence	01/29/2011	7068		User Change
DhsComplaint	2011-02-16 15:37	Create	Sender Type	Individual	7068		User Change
DhsComplaint	2011-02-16 15:37	Create	Method of Receipt	Standard Mail	7068		User Change
DhsComplaint	2011-02-16 15:37	Create	Entry Date	02/16/2011	7068		User Change
DhsComplaint	2011-02-25	Update	Days to Process	16	7068		User

	15:46					(b)(6)	Change
DhsComplaint	2011-02-25 15:46	Update	Allegation	(CR/CL) Civil Rights/Civil Liberty	7068		User Change
DhsComplaint	2011-02-16 15:44	Update	Allegation	(NJ) No Jurisdiction	7068		User Change
DhsComplaint	2011-05-23 10:26	Update	Days to Process	103	7068		User Change
DhsComplaint	2011-05-23 10:26	Update	Executive Summary	On February 11, 2011, CRCL received correspondence from (b)(6) Chicago Illinois. In a certified letter dated January 29, 2011, (also sent to the USCIS Chicago Field Office) (b)(6) alleges that two unidentified "USICE" Officers unlawfully tried t	7068		User Change
DhsComplaint	2011-05-23 10:26	Update	Component Referenced	DHS	7068		User Change
DhsComplaint	2011-05-23 10:26	Update	Summary	On February 11, 2011, CRCL received correspondence from (b)(6) Chicago Illinois. In a certified letter dated January 29, 2011, (also sent to the USCIS Chicago Field Office) (b)(6) alleges that two unidentified "USICE" Officers unlawfully tried t	7068		User Change
DhsComplaint	2011-06-09 15:37	Update	Component Referenced	ICE	7068		User Change
DhsComplaint	2011-06-09 15:37	Update	Days to Process	120	7068		User Change
DhsComplaintAction	2011-10-06 10:10	Update	Primary Assignment	(b)(6)	105110		User Change
DhsComplaintAction	2012-03-19 13:58	Create	Action	Closed - Referred/No Further Action	107233		User Change
DhsComplaintAction	2012-03-19 13:58	Create	Internal Summary	On February 8, 2011, CRCL received correspondence from (b)(6) concerning his treatment by U.S. Immigration and Customs Enforcement (ICE) officers at and around his residence in Chicago, Illinois. (b)(6) alleged that	107233		User Change

				ICE officers approached		(b)(6)	
DhsComplaintAction	2012-03-19 13:58	Create	Action Date	03/19/2012	107233		User Change
DhsComplaintAction	2012-03-19 13:58	Create	Reporting Summary	On February 8, 2011, CRCL received correspondence from (b)(6) concerning his treatment by U.S. Immigration and Customs Enforcement (ICE) officers at and around his residence in Chicago, Illinois. (b)(6) alleged that ICE officers approached	107233		User Change
DhsComplaintAction	2011-06-10 16:30	Create	Action Date	06/10/2011	105211		User Change
DhsComplaintAction	2011-06-10 16:30	Create	Action	Referred	105211		User Change
DhsComplaintAction	2011-06-10 16:30	Create	Document	CRCL Referred Assistance Form Complaint No. 11-05-ICE-0091.pdf	105211		User Change
DhsComplaintAction	2011-02-25 15:46	Create	Action	Open a Complaint	103711		User Change
DhsComplaintAction	2011-02-25 15:46	Create	Action Date	02/25/2011	103711		User Change
DhsComplaintAction	2011-06-02 14:16	Create	Comments	Short Form	105110		User Change
DhsComplaintAction	2011-06-02 14:16	Create	Primary Assignment	(b)(6)	105110		User Change
DhsComplaintAction	2011-06-02 14:16	Create	Action	Back from Officer	105110		User Change
DhsComplaintAction	2011-06-02 14:16	Create	Action Date	06/02/2011	105110		User Change
DhsComplaintAction	2011-06-02 14:15	Create	Action	Recommendation Review	105109		User Change
DhsComplaintAction	2011-06-02 14:15	Create	Action Date	06/02/2011	105109		User Change
DhsComplaintAction	2011-05-26 14:37	Create	Comments	Jeffrey Blumberg, Director, Compliance Branch, directed that this matter be opened as a complaint, and recommended that it (b)(5)	105070		User Change

DhsComplaintAction	2011-05-26 14:37	Create	Action	Awaiting Recommendation	105070	(b)(6)	User Change
DhsComplaintAction	2011-05-26 14:37	Create	Action Date	05/26/2011	105070		User Change
DhsComplaintAction	2011-05-26 14:35	Create	Document	11-05-DHS-0091 (OIG Response 3.1.2011).pdf	105069		User Change
DhsComplaintAction	2011-05-26 14:35	Create	Action	IG Declines/Back from IG	105069		User Change
DhsComplaintAction	2011-05-26 14:35	Create	Action Date	05/26/2011	105069		User Change
DhsComplaintAction	2011-02-25 16:00	Create	Action	Sent to IG	103712		User Change
DhsComplaintAction	2011-02-25 16:00	Create	Action Date	02/25/2011	103712		User Change
DhsComplaintDocument	2011-02-25 15:57	Create	Document Type	Acknowledgement Letter	82564		User Change
DhsComplaintDocument	2011-02-25 15:57	Create	Foreign Language	No	82564		User Change
DhsComplaintDocument	2011-02-25 15:57	Create	Document 1	CRCL Complaint 11-05-USCIS-0091 Acknowledgment Letter (b)(6) 2 25 2011.pdf	82564		User Change
DhsComplaintDocument	2011-02-25 15:57	Create	Dateentered	02/25/2011	82564		User Change
DhsComplaintDocument	2011-02-25 15:54	Create	Document Type	Draft Response	82563		User Change
DhsComplaintDocument	2011-02-25 15:54	Create	Foreign Language	No	82563		User Change
DhsComplaintDocument	2011-02-25 15:54	Create	Document 1	Complaint Summary Form 11-05-USCIS-0091 (b)(6) pdf	82563		User Change
DhsComplaintDocument	2011-02-25 15:54	Create	Dateentered	02/25/2011	82563		User Change
DhsComplaintDocument	2011-08-30 17:32	Create	Document Type	Incoming Letter	84971		User Change
DhsComplaintDocument	2011-08-30 17:32	Create	Comments	Supplemental to complaint received 8/30/2011	84971		User Change
DhsComplaintDocument	2011-08-30 17:32	Create	Document 2	8 30 2011 (b)(6) env.pdf	84971		User Change
DhsComplaintDocument	2011-08-30 17:32	Create	Dateentered	08/30/2011	84971		User Change
	2011-						

DhsComplaintDocument	08-30 17:32	Create	Foreign Language	No	84971	(b)(6)	User Change
DhsComplaintDocument	2011- 08-30 17:32	Create	Document 1	8 30 2011 (b)(6) pdf	84971		User Change
DhsComplaintDocument	2011- 06-10 16:33	Create	Document Type	Referral Letter	84177		User Change
DhsComplaintDocument	2011- 06-10 16:33	Create	Dateentered	06/10/2011	84177		User Change
DhsComplaintDocument	2011- 06-10 16:33	Create	Foreign Language	No	84177		User Change
DhsComplaintDocument	2011- 06-10 16:33	Create	Document 1	CRCL Referral Letter Complaint No. 11-05- ICE-0091.pdf	84177		User Change
DhsComplaintDocument	2011- 06-10 16:32	Create	Document Type	Referral Memo	84176		User Change
DhsComplaintDocument	2011- 06-10 16:32	Create	Dateentered	06/10/2011	84176		User Change
DhsComplaintDocument	2011- 06-10 16:32	Create	Foreign Language	No	84176		User Change
DhsComplaintDocument	2011- 06-10 16:32	Create	Document 1	CRCL Referral Memo Complaint No. 11-05- ICE-0091.pdf	84176		User Change
DhsComplaintDocument	2011- 02-16 15:42	Create	Document Type	Incoming Letter	82410		User Change
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DhsComplaintDocument	2012- 03-19 13:43	Create	Document 2	CRCL Complaint without Recommendation Closure Memo. 11- 05-ICE-0091.pdf	86347		User Change
DhsComplaintDocument	2012- 03-19 13:43	Create	Document Type	Closed Letter	86347		User Change
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DhsComplaintDocument	2012- 02-17	Create	Dateentered	02/17/2012	86179		User

	15:43					(b)(6)	Change
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DhsComplaintDocument	2012-02-17 15:43	Create	Document Type	Investigative Material	86179		User Change
DhsComplaintDocument	2012-02-17 15:43	Create	Comments	ROI	86179		User Change
DhsComplaintIssue	2011-09-23 12:09	Update	Situation	287g	12532		User Change
DhsComplaintIssue	2011-02-16 15:44	Create	Primary Issue	Yes	12532		User Change
DhsComplaintIssue	2011-02-16 15:44	Create	(b)(5)	(b)(5)	12532		User Change
DhsComplaintIssue	2011-02-16 15:44	Create	Ongoing	No	12532		User Change
DhsComplaintIssue	2011-02-16 15:44	Create	Redirect to Subject	No	12532		User Change
DhsComplaintIssue	2011-02-16 15:44	Create	Incident Date	01/29/2011	12532		User Change
DhsComplaintPartiesInvolved	2011-02-16 15:43	Create	City	Chicago	20859		User Change
DhsComplaintPartiesInvolved	2011-02-16 15:43	Create	State	Illinois - IL	20859		User Change
DhsComplaintPartiesInvolved	2011-02-16 15:43	Create	First Name	(b)(6)	20859		User Change
DhsComplaintPartiesInvolved	2011-02-16 15:43	Create	Last Name	(b)(6)	20859		User Change
DhsComplaintPartiesInvolved	2011-02-16 15:43	Create	Address Line 1	(b)(6)	20859		User Change
DhsComplaintPartiesInvolved	2011-02-16 15:43	Create	Contact Type	Sender	20859		User Change
DhsComplaintPartiesInvolved	2011-02-16 15:43	Create	Zip Code	60649	20859		User Change

From: (b)(6)
To:
Cc:
Subject: RE: CRCL Complaint Number 11-06-ICE-0170
Date: Wednesday, April 06, 2011 7:52:46 AM

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)@dhs.gov]
Sent: Monday, April 04, 2011 9:14 AM
To: (b)(6)
Cc:
Subject: CRCL Complaint Number 11-06-ICE-0170

(b)(6)

Summary of new complaint for your review:

On March 29, 2011, CRCL was cc'd email correspondence from (b)(6) of Council on American-Islamic Relations (CAIR), on behalf of (b)(6) a delivery person for a pizza restaurant in Meriden, Connecticut. Allegedly, on March 8, 2011, (b)(6) reported that he was pulled over on High Street in Meriden by two unmarked cars while enroute to deliver a pizza, then person's who identified themselves as DHS (ICE) agents aggressively questioned him, illegally searched his car and apartment, and never informed him of why he was being interrogated or fingerprinted. Allegedly, after the interrogation and driving (b)(6) outside the courthouse, the agents stated "You're lucky you're legal. We will release you," and drove him back to his car.

Thank you.

(b)(6)

Program Analyst
Compliance Branch
Office for Civil Rights & Civil Liberties

Department of Homeland Security

(202) 357-(b)(6) (phone)

(b)(6) [\(b\)\(6\)@dhs.gov">@dhs.gov](mailto:<span style=)

From: (b)(6)
To:
Cc: ccrl@dhs.gov; (b)(6)
Subject: Report of DHS Violation of Conn. Muslim's Constitutional Rights
Date: Wednesday, March 30, 2011 1:04:04 PM
Attachments: [Letter to DHS about \(b\)\(6\) .doc](#)

(b)(6)

Assistant Attorney General
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

March 30, 2011

Dear (b)(6)

Subject: Report of DHS Violation of Conn. Muslim's Constitutional Rights

Non Responsive

I would like to bring to your attention a disturbing incident that was reported to CAIR. In the spirit of jointly tackling some of the challenges we face, I hope you might help us answer some questions that were raised as a result of this incident and explain the circumstances in which it occurred.

On March 8, 2011, (b)(6) a delivery person for a pizza restaurant in Meriden, Conn., reported that he was pulled over on High Street in Meriden by two unmarked cars while enroute to deliver a pizza.

After quickly flashing badges, the three men asked him to hand over his gun and step out of the car. They immediately handcuffed (b)(6) and placed him in the back seat of one of their cars.

(b)(6) informed them that he has never owned or carried a gun. After searching him and emptying his pockets of all contents, the "agents" proceeded to question him aggressively about his identity, his immigration status, his roommates, and his associations with other people.

During this time, (b)(6) informed the "agents" that he has a lawyer and he would like to call her but the "agents" replied, "Wait, we will search first." They continued questioning Mr. (b)(6) about his former roommates' names and their current whereabouts. The "agents" searched his car without his consent and never provided a search warrant.

At no point did these men inform (b)(6) that he was under arrest or explain why all this was happening to him.

The "agents" drove him to the courthouse where they parked their cars along Butler Street. They finger printed him and continued their interrogation without ever taking him into the

courthouse or informing him that he was under arrest.

At this time, they presented a file that contained a photograph of one of (b)(6) former roommates. Our client, (b)(6) informed them that the ex-roommate, (b)(6) left the United States five years ago and that he has not seen him since that time.

The “agents” informed (b)(6) “You’re lucky you’re legal. We will release you,” and drove him back to his car. They also informed (b)(6) that earlier in the day they had visited his landlord who let them into his apartment, which they then searched. Again, at no point did they present (b)(6) or his landlord with a search warrant allowing them access to his apartment.

The “agents” then apologized to (b)(6) and informed him that they are with “Homeland Security.”

Based on the information provided above, I respectfully request that your office begin an immediate civil rights investigation to determine the following:

1. Whether the individuals who detained (b)(6) acted on behalf of The Department of Homeland Security.
2. Why the “agents” in question did not identify themselves properly.
3. Why (b)(6) was handcuffed and detained without a warrant.
4. Why (b)(6) was denied the right to an attorney even after he requested legal representation.
5. Why (b)(6) apartment and car were searched without a warrant.
6. Why (b)(6) was driven to a courthouse but not taken inside.

If you have questions about this case, I may be reached at...

(b)(6) Executive Director
Council on American-Islamic Relations
Connecticut Chapter
57 Pratt St., Suite (b)(6)
Hartford, CT 06103

Office: 860-442-CAIR (2247)
Cell: 860-(b)(6)
Email: (b)(6)@cair.com

Thank you for your attention to this important matter.

Sincerely,

(b)(6)
Executive Director
Council on American-Islamic Relations
Connecticut Chapter
57 Pratt Street, Suite (b)(6)
Hartford, CT 06103

Cell Phone (860) (b)(6)
Tel. (860) 442-CAIR(2247) Fax. (860) 727-8679
Email (b)(6) @CAIR.com

CAIR, America's largest Islamic civil liberties and advocacy group, has over 30 offices and chapters in the U.S.A and Canada. Its mission is to enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding.



Homeland
Security

April 4, 2011

Via Electronic Mail

(b)(6)

(b)(6)

@CAIR.com

Re: Complaint No. 11-06-ICE-0170 (b)(6)

Dear (b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on March 29, 2011. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security.

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by this Office. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL will contact you with the anticipated course of investigation for your complaint and will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at crcl@dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, see our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter. Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,



Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint. CRCL may disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the types of complaints, and do not include personal information. To read our past reports, go to www.dhs.gov/CRCL. To learn more about the Privacy Act, go to the Federal Information Center, www.pueblo.gsa.gov.



Homeland
Security

September 26, 2012

(b)(6)

Executive Director
Council on American-Islamic Relations
Connecticut Chapter
57 Pratt Street, Suite (b)(6)
Hartford, CT 06103

Re: Complaint No. 11-06-ICE-0170

Dear (b)(6)

This letter is a follow-up to the complaint you submitted to the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) on March 29, 2011, regarding DHS operations in Meriden, Connecticut, related to (b)(6). Specifically, your complaint alleged that on March 8, 2011, (b)(6) was pulled over by two unmarked U.S. Immigrations and Customs Enforcement (ICE) vehicles. Subsequently, ICE officers allegedly handcuffed (b)(6), placed him in the back of their vehicle, and aggressively questioned him about his immigration status, identity, and associations with other people. In addition, ICE allegedly searched (b)(6) car without consent, and drove him to the parking lot of a nearby courthouse where they fingerprinted him and continued to question him. During this incident, ICE officers allegedly failed to identify themselves appropriately, and denied (b)(6) requests to contact an attorney. Your complaint further alleged that, prior to this incident, ICE searched (b)(6) apartment without obtaining his consent and without a warrant.

In a letter sent to you on June 3, 2011, CRCL informed you that, pursuant to 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, we had determined that the matters raised by your complaint would be reviewed by ICE, a component of DHS, which would report its findings to this Office. ICE investigated these allegations and forwarded its Report of Investigation (ROI) to CRCL. As part of its investigation, ICE interviewed witnesses and reviewed documents and information related to the incident. The ICE ROI concluded that the evidence gathered did not substantiate the allegations regarding the unlawful search of the apartment and vehicle, inappropriate conduct by ICE officers, unlawful traffic stop, and unlawful detention of (b)(6). CRCL has determined that it will take no further action on these allegations. Nevertheless, CRCL has a separate investigation open that is examining ICE's policies regarding officers obtaining consent to conduct a search. As we complete the other investigation, we will take account of this incident and incorporate information about it as appropriate when we formulate our report and recommendations to ICE about any issues we find in that investigation.

Accordingly, based on our review of the facts and circumstances presented in this matter, we have concluded that your concerns have been addressed and we are closing your complaint.

We appreciate your bringing these matters to our attention. Inquiries like yours help DHS meet its obligation to protect civil rights and civil liberties. If you have additional information or allegations regarding inappropriate treatment by DHS officials, please do not hesitate to provide it.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



OFFICE FOR CIVIL RIGHTS & CIVIL LIBERTIES (CRCL)
REFERRED COMPLAINT ASSISTANCE FORM

REFERRED COMPLAINT ASSISTANCE	
Assigned To:	U.S. Immigration and Customs Enforcement
Requested From:	DHS Headquarters Office for Civil Rights and Civil Liberties (CRCL)
POC:	(b)(6) Senior Policy Advisor, 202-357-7766, s.gov
Date Referred to CBP:	June 3, 2011
Deadline to CRCL:	Within 180 days of the date on the attached memo.
CRCL Complaint No:	11-06-ICE-0170, (b)(6)
SYNOPSIS	
On March 29, 2011, CRCL received a complaint from (b)(6) of the Council on American-Islamic Relations on behalf of (b)(6). Mr. (b)(6) alleges that Mr. (b)(6) was stopped and detained by ICE agents during a traffic stop on High Street in Meriden, Connecticut, on March 8, 2011. Mr. (b)(6) further alleges that Mr. (b)(6) was handcuffed, searched, and held outside a courthouse, where he was fingerprinted. His car was also searched without his consent. At different points while he was in custody, Mr. (b)(6) was questioned about his identity, immigration status, roommates, and associations with other people. In addition, Mr. (b)(6) alleges that at one point, Mr. (b)(6) asked to contact his attorney, but the agents told him to wait and kept questioning him. The agents also showed Mr. (b)(6) a file that contained a photo of one of Mr. (b)(6) former roommates, (b)(6). Mr. (b)(6) also alleges that the agents informed Mr. (b)(6) that agents had visited his apartment earlier in the day, and his landlord let the agents into the apartment, which they then searched. At no point did the agents tell Mr. (b)(6) that he was under arrest or show him a warrant or other paperwork that authorized his detention, the search of his car, or the search of his apartment.	
ISSUES/ALLEGATIONS	
Issues/Allegations to be addressed in ICE's Fact Finding Report/ROI submitted to DHS CRCL:	• (b)(5),(b)(6) • • • • • • • •

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Law Enforcement Sensitive*



	• (b)(5),(b)(6)
Additional Instructions and Documents to Review:	•

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Law Enforcement Sensitive*



Homeland
Security

June 3, 2011

(b)(6) Executive Director
Council on American-Islamic Relations
Connecticut Chapter
57 Pratt Street, (b)(6)
Hartford, CT 06103

Re: Complaint No. 11-06-ICE-0170, (b)(6)

Dear Mr. (b)(6)

The Office for Civil Rights and Civil Liberties (CRCL) received information from you on March 29, 2011, concerning the treatment of (b)(6) by employees of U.S. Immigration and Customs Enforcement (ICE) during the traffic stop and subsequent detention of Mr. (b)(6) in Meriden, Connecticut, on March 8, 2011.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL has the responsibility to review and assess complaints against Department of Homeland Security (DHS) employees and officials concerning violations of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion.

CRCL takes allegations of violations of civil rights and civil liberties very seriously. We have determined that your allegations should be investigated by ICE, a component of DHS, which will report its findings to CRCL. ICE will conduct an investigation of one or more of the concerns that you have raised, specifically those related to the alleged stop and questioning of Mr. (b)(6). Additionally the allegations regarding searches by ICE of Mr. (b)(6) car and apartment will be examined.

We will review ICE's findings and assess compliance with civil rights requirements in these areas. The purpose of this process is to determine if your allegations raise issues that should and can be addressed by the management of DHS.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on behalf of Mr. (b)(6). Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe Mr. (b)(6) rights have been violated, you may wish to advise him to consult an attorney. There may be time limitations that govern how quickly he needs to act to protect his interests.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to CRCL. 42 U.S.C. § 2000ee-1(e). If

you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

ICE or CRCL will contact you if additional information is needed or to report on the Department's review of this matter. If you have any questions concerning this referral, you may contact CRCL by phone at 866-644-8360, 866-644-8361 (TTY), or by email at crcl@dhs.gov. When you communicate with us, please include the complaint number. In addition, it is very important to notify us of any changes in your address or telephone number.

We thank you for your complaint; inquiries like yours help DHS meet its obligation to protect civil rights and civil liberties. You can expect to receive a letter from us informing you how the Department concluded this matter.

Sincerely,



Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



Homeland
Security

June 3, 2011

MEMORANDUM FOR:

(b)(6), (b)(7)(C)

Deputy Division Director, Investigative Support Unit
Office of Professional Responsibility
U.S. Immigration and Customs Enforcement

Peter S. Vincent
Principal Legal Advisor
U.S. Immigration and Customs Enforcement

FROM:

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties

(b)(6)

Attorney Advisor
Office of General Counsel

SUBJECT:

Complaint No. 11-06-ICE-0170

(b)(6)

The Office for Civil Rights and Civil Liberties (CRCL) has received a complaint alleging that U.S. Immigration and Customs Enforcement (ICE) has violated an individual's civil rights or civil liberties. The purpose of this memorandum is to notify you of the complaint and to inform you that we are referring this complaint to ICE for investigation. We request that the appropriate office within your component complete an inquiry into the enclosed complaint within 180 days of the date of this referral. Please see the attached Referred Complaint Assistance Form for guidance regarding this inquiry.

CRCL authorities. Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL is charged with investigating and assessing complaints against DHS employees and officials of abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion. The procedures for our investigations and the recommendations they may engender are outlined in Department of Homeland Security (DHS) Management Directive 3500. We have received information concerning the above listed complaint that may fall under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1.

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Access to information. More particularly, 42 U.S.C. § 2000ee-1(d) grants CRCL access to the “information, material, and resources necessary to fulfill the functions” of the office, including the complaint investigation function; Management Directive 3500 further authorizes CRCL to:

- “Notify[] the relevant DHS component(s) involved of the matter and its acceptance by CRCL, and whether the matter will be handled by CRCL or by the component organization”;
- “Interview[] persons and obtain[] other information deemed by CRCL to be relevant and require[e] cooperation by all agency employees”; and
- “Access[] documents and files that may have information deemed by CRCL to be relevant.”

Reprisals forbidden. In addition, 42 U.S.C. § 2000ee-1(e) forbids any Federal employee to subject a complainant or witness to any “action constituting a reprisal, or threat of reprisal, for making a complaint or for disclosing information to” CRCL in the course of this investigation.

This memorandum and the Referred Complaint Assistance Form are pursuant to these authorities.

Privilege and required transparency. Our communications with ICE personnel and documents generated during this review, particularly the final report, will be protected to the maximum extent possible by attorney-client and deliberative process privileges. Under 6 U.S.C. § 345(b), however, we submit an annual report to Congress—also posted on CRCL’s Web site—that is required to detail “any allegations of [civil rights] abuses . . . and any actions taken by the Department in response to such allegations.” . . .

When the inquiry is complete, please contact CRCL with your component’s findings and recommendations. CRCL will review the matter in accordance with our mission to assist DHS to secure the Nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with your staff on this matter, will notify you when we have closed this complaint, and will provide you with any recommendations resulting from this complaint.

If you have any questions concerning this referral, please do not hesitate to contact Senior Policy Advisor (b)(6) by phone at 202-357-(b)(6) 866-644-8360 (TTY), or by email at (b)(6)@dhs.gov.

Copies to:

(b)(6),(b)(7)(C)
Regional Operations Manager, Investigative Support Unit
Office of Professional Responsibility
U.S. Immigration and Customs Enforcement
(b)(6),(b)(7)(C)@dhs.gov

Protected by Attorney-Client and Deliberative Process Privileges

(b)(6),(b)(7)(C)

Office of Professional Responsibility
U.S. Immigration and Customs Enforcement
(b)(6),(b)(7)(C) @dhs.gov

Enclosures

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(b)(6)

From: Blumberg, Jeffrey
Sent: Friday, April 22, 2011 5:21 PM
To: (b)(6)
Cc:
Subject: Re: Complaint Inquiry

Let's discuss on Monday. (b)(5)

Thanks and have a good weekend.

Jeff

From: (b)(6)
Sent: Friday, April 22, 2011 10:02 AM
To: Blumberg, Jeffrey; (b)(6)
Cc: (b)(6)
Subject: FW: Complaint Inquiry

Hi Jeff and (b)(6)

What is the protocol on an email like the one below? Can I just call the guy? Is there some formal way for the office to respond?

(b)(5)

Please advise, and I'll follow up however you indicate.

Tom

From: CRCL
Sent: Friday, April 22, 2011 9:45 AM
To: (b)(6)
Cc:
Subject: FW: Complaint Inquiry

Hello (b)(6)

The following correspondence is in reference to Complaint # 11-06-ICE-0170, which according to Entellitrak, is assigned to you. I will save the below correspondence and upload it to Entellitrak.

Thank you

(b)(6)
Office for Civil Rights & Civil Liberties
Department of Homeland Security
(202) 357- (b)(6) (phone)

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-ICE-11-0519 11-06-ICE-0170 (b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2011-03-30 12:03	Create	Entry Date	03/30/2011	7287	(b)(6)	User Change
DhsComplaint	2011-03-30 12:03	Create	Method of Receipt	Email	7287		User Change
DhsComplaint	2011-03-30 12:03	Create	Sender Type	NGO/Organization	7287		User Change
DhsComplaint	2011-03-30 12:03	Create	Date on Correspondence	03/29/2011	7287		User Change
DhsComplaint	2011-03-30 12:03	Create	Date to DHS	03/29/2011	7287		User Change
DhsComplaint	2011-03-30 12:03	Create	Date to CRCL	03/29/2011	7287		User Change
DhsComplaint	2011-03-30 12:03	Create	Days to Process	1	7287		User Change
DhsComplaint	2011-03-30 12:03	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	7287		User Change
DhsComplaint	2011-03-30 12:03	Create	Executive Summary	On March 29, 2011, CRCL was cc'd email correspondence from Mr. (b)(6) of Council on American-Islamic Relations (CAIR), on behalf of Mr. (b)(6) a delivery person for a pizza restaurant in Meriden, Connecticut. Allegedly, on March 8, 2011,	7287		User Change
DhsComplaint	2011-03-30 12:03	Create	Summary	On March 29, 2011, CRCL was cc'd email correspondence from Mr. (b)(6) of Council on American-Islamic Relations (CAIR), on behalf of Mr. (b)(6) a delivery person for a pizza restaurant in Meriden, Connecticut. Allegedly, on March 8, 2011,	7287		User Change
DhsComplaint	2011-03-30 12:03	Create	Component Referenced	DHS	7287	(b)(6)	User Change
DhsComplaint	2011-04-04	Update	Days to Process	6	7287		User Change